P.R. No. 5620/06
Presented by Shri A.N. Bhelkar
dated 20/10/06

SINGLE BENCH

CF-002

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR (CG)

WRIT PETITION (S) NO. 5606 /2006

PETITIONER Chetan Ram, aged about 52 years, son of Shri Budhu Ram, Forest Guard, Akhoura, Forest Range - Ambikapur, District Surguja (C.G.)

VERSUS

RESPONDENTS

1. State of Chhattisgarh, through – Secretary, Department of Forest, Dau Kalyan Singh Bhawan, Raipur (C.G.)
2. The District Forest Officer, Forest Division South Surguja, Ambikapur (C.G.)
3. Forest Ranger, Forest Range Ambikapur, District Surguja (CG)
4. Kamla Singh Yadav, Forest Guard, Van Parishar Badauli, Forest Range Ambikapur (C.G.)

OATH COMMISSIONER S.R. Kaushik TAHSIL 10/10/06

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA,

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HIGH COURT OF JUDICATURE CHHATTISGARH: BILASPUR

Single Bench: Hon'ble Shri Satish K. Agnihotri, J.

W. P. (s) No. 5606 OF 2006

Petitioner : Chetan Ram

Versus

Respondents : State of Chhattisgarh & others.

Present: Shri A.N. Bhakta, counsel for the petitioner.
Shri Ajay Dwivedi, Panel lawyer for the respondents No. 1 to 3/State.
Shri Sourabh Dangi, counsel for the respondent No. 4.

O R D E R

(12th October, 2006)

1. The petitioner is employed as Forest Guard in Forest Range, Akhaura. The petitioner has assailed the impugned order dated 26.8.2006 (Annexure P/1) whereby he was transferred to Forest Range Badauli from the Forest Division, Akhaura, Ambikapur, on the ground that the order is contrary to the transfer guidelines dated 26.5.2006 as passed during the ban period.

2. The second contention of the petitioner is that the impugned transfer order has been passed to protect the respondent No. 4, as the respondent No. 4 had committed serious irregularities at Forest Range, Badauli. The petitioner is not in a position to state asto how the respondent No. 4 can be protected when the irregularities have been committed during particular

period when the respondent No. 4 was working at Forest Range, Badauli. However, this placement order seems to be just and proper, as it is the case of the petitioner that the respondent No. 4 had committed some irregularities at Badauli, therefore, it was necessary to remove him from Badauli and place him somewhere else.

3. On perusal of the documents annexed to the petition, it is clearly established that the placement of the petitioner was due to administrative exigency and in public interest. In fact, the impugned order is not the transfer order, but placement of the officer within the district from one forest range to other forest range. Service and other conditions may not be affected by the placement of the petitioner and the respondent No. 4 by the impugned order within the dame district. The petitioner has not made out any case soas to interfere with the impugned order dated 26.8.2006 in exercise of jurisdiction under Article 226 of the Constitution of India.

4. Thus, this petition is dismissed summarily. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

Bablu